

U.S.S.N. 10/624,070

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DKT02152 (BWA 0245 PA)

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REMARKS

This Supplemental Amendment is being filed in response to the final Official Action dated April 21, 2006. This Amendment is supplemental to the earlier "Amendment and Request for Reconsideration" filed on June 21, 2006, and to the Advisory Action dated July 7, 2006.

Even though the Applicant has filed a Notice of Appeal, the Applicant would like to secure patent protection from the present case based on the subject matter currently deemed to be allowed or allowable by the Examiner and, at the same time, cancel all of the rejected claimed subject matter from the present case and refile and resubmit it in a continuation application.

Thus, in response to the Advisory Action, the Applicant by this Amendment is canceling claims 1-10, 12-15, 17, 19-24, 26 and 28-30 from the present application, amending claim 27 to include the subject matter of allowable claim 30, and submitting new claims 31, 32, 33, 34 and 35 which comprise claim 1 in combination with the allowable subject matter of claims 12, 15, 17, 22 and 29, respectively. Also, the Applicant is retaining independent claims 16 and 18 in the case which were deemed to be allowable by the Examiner in the Advisory Action.

In the Final Office Action, the subject matter of the cancelled claims was deemed to be obvious and thus unpatentable by the Examiner under 35 USC §103(a) in view of a combination of the Stevens et al. and Spokas references, or the Stevens et al., Spokes and Matson references. By canceling those claims in the present case, the Applicant is not acquiescing in the validity of those rejections. In fact, the Applicant does not believe that the claim rejections in the final Office Action have merit. However, in order to expedite patent protection on portions of the inventive subject matter of the present case, the Applicant is canceling the rejected claims and resubmitting them in a continuation application. In this manner, the claimed subject matter deemed to be allowable by the Examiner can

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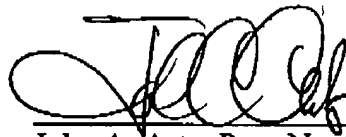
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issue as a U.S. patent, and the Applicant can continue to attempt to secure protection on the remaining subject matter in a related application.

Respectfully submitted,

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